

App S/N 10/656,070; November 5, 2003
Lyons, et al.
Page 5

REMARKS

This paper is responsive to the non-final Office Action mailed November 3, 2005. Claims 33-35, 46-48, 50, 52, 53 and 55-58 are pending in this application. Claims 33-35, 46-48, 50 and 52 are allowed; Claims 53 and 56-58 currently stand rejected; and Claim 55 has been objected to. Applicants have amended claim 53 and canceled claim 55. No other amendments were made to the claims.

Upon entry of this paper, claims 33-35, 46-48, 50, 52, 53 and 56-58 will remain pending in this application.

Claim Rejections - 35 U.S.C. § 102

Claims 53, 56, and 58 were rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 4,242,398 to Segawa et al.

Elsewhere in the Office Action, and more specifically under the section heading "Allowable Subject Matter," the Examiner stated that dependent claim 55 would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claim 53 to incorporate the subject matter of claim 55. Therefore, amended claim 53 is no longer believed anticipated by Segawa et al.

Since claims 56 and 58 are dependent on an allowable claim, therefore, for at least this reason, Applicants respectfully submit that claims 56 and 58 are also now allowable.

In view thereof, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) is respectfully solicited.

App S/N 10/656,070; November 5, 2003
Lyons, et al.
Page 6

Claim Rejections - 35 U.S.C. § 103

Claim 57 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Segawa et al. (US Patent No. 4,242,398) as applied to claim 53 in view of US Patent No. 5,738,818 to Atmur et al.

As discussed in the foregoing, Applicants have amended claim 53 and believe it to be patentable over Segawa et al. Therefore, for at least this reason, Applicants respectfully submit that claim 57 is now patentable over Segawa et al in view of Atmur et al.

Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully solicited.

Allowable Subject Matter

Claims 33-35, 46-48, 50 and 52 are noted as being allowed. The subject matter of allowable claim 55 has been incorporated into claim 53; and claim 55 has been canceled without prejudice.

CONCLUSION

Upon entry of this paper, claims 33-35, 46-48, 50, 52, 53 and 56-58 will remain pending in the present patent application. These pending claims are believed to be in condition for allowance. Reconsideration and prompt passage of the application to allowance is respectfully solicited.

Respectfully Submitted,

David Charles LYONS, et al.

By:

Dipak J. Shah #56,782
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-7217

Dated: February 3, 2006

M2:20772504.01